

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION

Gene Rudolf,

Plaintiff,

VS.

Deere & Company,

Defendant.

Civil No. 1:10-cv-29

NOTICE OF REMOVAL

I.

This action is removable pursuant to section 1441 of title 28 of the United States Code. The United States District Court has original jurisdiction of this action pursuant to section 1332 of title 28. Plaintiff is a citizen of North Dakota. Defendant Deere & Company is a Delaware corporation with its principal place of business in Illinois. The amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

II.

The Southwestern Division of the United States District Court for the District of North Dakota is the proper court for removal. The action was pending in McIntosh County District Court.

III.

The Notice of Removal has been filed within 30 days of receipt of a copy of the summons and complaint.

IV.

Written notice of the removal has been given to plaintiff and a copy of the Notice of Removal has been filed with the state court.

V.

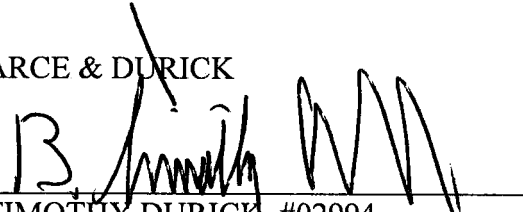
Copies of all process, pleadings, and orders in the state court action are attached.

This notice is signed in accordance with the provision of Rule 11 of the Federal Rules of Civil Procedure.

DATED this 13th day of April, 2010.

PEARCE & DURICK

By

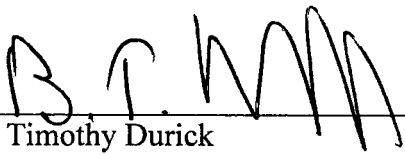

B. TIMOTHY DURICK, #02994
Individually and as a Member of the Firm
Attorneys for Deere & Company
314 East Thayer Avenue
P.O. Box 400
Bismarck, ND 58502-0400
(701) 223-2890

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing **NOTICE OF REMOVAL** was on the 13th day of April, 2010, served by mail upon the following:

Attorney for Plaintiff:

Marnell W. Ringsak
Attorney at Law
411 North Fourth Street
P.O. Box 2155
Bismarck, ND 58502-2155


B. Timothy Durick